

# Senate Study Bill 1203 - Introduced

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED GOVERNOR BUDGET  
BILL)

## A BILL FOR

1 An Act relating to appropriations to the judicial branch.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1.   JUDICIAL BRANCH.

2     1.   There is appropriated from the general fund of the state  
3 to the judicial branch for the following fiscal years the  
4 following amounts, or so much thereof as is necessary, to be  
5 used for the purposes designated:

6     a.   For salaries of supreme court justices, appellate court  
7 judges, district court judges, district associate judges,  
8 associate juvenile judges, associate probate judges, judicial  
9 magistrates and staff, state court administrator, clerk of the  
10 supreme court, district court administrators, clerks of the  
11 district court, juvenile court officers, board of law examiners  
12 and board of examiners of shorthand reporters and judicial  
13 qualifications commission; receipt and disbursement of child  
14 support payments; reimbursement of the auditor of state for  
15 expenses incurred in completing audits of the offices of the  
16 clerks of the district court; and maintenance, equipment, and  
17 miscellaneous purposes:

18     (1)   FY 2015-2016:

19 ..... \$179,673,989

20     (2)   FY 2016-2017:

21 ..... \$181,673,989

22     b.   For deposit in the revolving fund created pursuant to  
23 section 602.1302, subsection 3, for jury and witness fees,  
24 mileage, costs related to summoning jurors, costs and fees for  
25 interpreters and translators, and reimbursement of attorney  
26 fees paid by the state public defender:

27     (1)   FY 2015-2016:

28 ..... \$   3,100,000

29     (2)   FY 2016-2017:

30 ..... \$   3,100,000

31     2.   The judicial branch, except for purposes of internal  
32 processing, shall use the current state budget system, the  
33 state payroll system, and the Iowa finance and accounting  
34 system in administration of programs and payments for services,  
35 and shall not duplicate the state payroll, accounting, and

1 budgeting systems.

2     3. The judicial branch shall submit monthly financial  
3 statements to the legislative services agency and the  
4 department of management containing all appropriated accounts  
5 in the same manner as provided in the monthly financial status  
6 reports and personal services usage reports of the department  
7 of administrative services. The monthly financial statements  
8 shall include a comparison of the dollars and percentage  
9 spent of budgeted versus actual revenues and expenditures on  
10 a cumulative basis for full-time equivalent positions and  
11 dollars.

12     4. The judicial branch shall focus efforts upon the  
13 collection of delinquent fines, penalties, court costs, fees,  
14 surcharges, or similar amounts.

15     5. It is the intent of the general assembly that the offices  
16 of the clerks of the district court operate in all 99 counties  
17 and be accessible to the public as much as is reasonably  
18 possible in order to address the relative needs of the citizens  
19 of each county.

20     6. In addition to the requirements for transfers under  
21 section 8.39, the judicial branch shall not change the  
22 appropriations from the amounts appropriated to the judicial  
23 branch in this division of this Act, unless notice of the  
24 revisions is given prior to their effective date to the  
25 legislative services agency. The notice shall include  
26 information on the branch's rationale for making the changes  
27 and details concerning the workload and performance measures  
28 upon which the changes are based.

29     7. The judicial branch shall submit a semiannual update  
30 to the legislative services agency specifying the amounts of  
31 fines, surcharges, and court costs collected using the Iowa  
32 court information system since the last report. The judicial  
33 branch shall continue to facilitate the sharing of vital  
34 sentencing and other information with other state departments  
35 and governmental agencies involved in the criminal justice

1 system through the Iowa court information system.

2     8. The judicial branch shall provide a report to the general  
3 assembly by January 1, 2016, concerning the amounts received  
4 and expended from the enhanced court collections fund created  
5 in section 602.1304 and the court technology and modernization  
6 fund created in section 602.8108, subsection 7, during the  
7 fiscal year beginning July 1, 2014, and ending June 30, 2015,  
8 and the plans for expenditures from each fund during the  
9 fiscal year beginning July 1, 2015, and ending June 30, 2016.  
10 The judicial branch shall provide a report to the general  
11 assembly by January 1, 2017, concerning the amounts received  
12 and expended from the enhanced court collections fund created  
13 in section 602.1304 and the court technology and modernization  
14 fund created in section 602.8108, subsection 7, during the  
15 fiscal year beginning July 1, 2015, and ending June 30, 2016,  
16 and the plans for expenditures from each fund during the fiscal  
17 year beginning July 1, 2016, and ending June 30, 2017. A copy  
18 of each report shall be provided to the legislative services  
19 agency.

20     9. It is the intent of the general assembly that the  
21 judicial branch emphasize the expansion of family treatment  
22 courts on a statewide basis.

23     Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any  
24 provision to the contrary, for the fiscal years beginning July  
25 1, 2015, and July 1, 2016, if all parties in a case agree, a  
26 civil trial including a jury trial may take place in a county  
27 contiguous to the county with proper jurisdiction, even if the  
28 contiguous county is located in an adjacent judicial district  
29 or judicial election district. If the trial is moved pursuant  
30 to this section, court personnel shall treat the case as if a  
31 change of venue occurred. However, if a trial is moved to an  
32 adjacent judicial district or judicial election district, the  
33 judicial officers serving in the judicial district or judicial  
34 election district receiving the case shall preside over the  
35 case.

1     Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section  
2 602.1509, for the fiscal years beginning July 1, 2015, and July  
3 1, 2016, a judicial officer may waive travel reimbursement for  
4 any travel outside the judicial officer's county of residence  
5 to conduct official judicial business.

6     Sec. 4. POSTING OF REPORTS IN ELECTRONIC FORMAT —  
7 LEGISLATIVE SERVICES AGENCY. All reports or copies of reports  
8 required to be provided to the legislative services agency by  
9 the judicial branch for the fiscal years beginning July 1,  
10 2015, and July 1, 2016, shall be provided in an electronic  
11 format. The legislative services agency shall post the reports  
12 on its internet website and shall notify by electronic means  
13 all the members of the joint appropriations subcommittee on  
14 the justice system when a report is posted. Upon request,  
15 copies of the reports may be mailed to members of the joint  
16 appropriations subcommittee on the justice system.

17     Sec. 5. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding  
18 the annual salary rates for judicial officers established  
19 by 2008 Iowa Acts, chapter 1191, section 11, for the fiscal  
20 years beginning July 1, 2015, and July 1, 2016, the supreme  
21 court may by order place all judicial officers on unpaid leave  
22 status on any day employees of the judicial branch are placed  
23 on temporary layoff status. The biweekly pay of the judicial  
24 officers shall be reduced accordingly for the pay period in  
25 which the unpaid leave date occurred in the same manner as  
26 for noncontract employees of the judicial branch. Through  
27 the course of the fiscal year, the judicial branch may use an  
28 amount equal to the aggregate amount of salary reductions due  
29 to the judicial officer unpaid leave days for any purpose other  
30 than for judicial salaries.

31     Sec. 6. IOWA COMMUNICATIONS NETWORK. It is the intent  
32 of the general assembly that the judicial branch utilize  
33 the Iowa communications network or other secure electronic  
34 communications in lieu of traveling for the fiscal years  
35 beginning July 1, 2015, and July 1, 2016.

1

EXPLANATION

2

The inclusion of this explanation does not constitute agreement with  
the explanation's substance by the members of the general assembly.

3

4

This bill makes appropriations to the judicial branch.

5

The bill appropriates from the general fund of the state  
for FY 2015-2016 and FY 2016-2017 to the judicial branch for  
salaries, maintenance, equipment, and miscellaneous purposes.

8

The bill provides that a civil trial including a jury trial  
may take place in a county contiguous to the county with proper  
jurisdiction, even if the contiguous county is located in an  
adjacent judicial district or judicial election district, if  
all the parties in a case agree. If a trial is moved to another  
county that is located in another judicial district or judicial  
election district, the judicial officers serving the judicial  
district or judicial election district receiving the case shall  
preside over the case.

17

The bill permits a judicial officer to waive travel  
reimbursement for any travel outside the judicial officer's  
county of residence to conduct official business.

20

The bill requires the judicial branch to file reports with  
the legislative services agency in an electronic format.

22

The bill allows a judicial officer to be placed on unpaid  
leave for the fiscal years beginning July 1, 2015, and July 1,  
2016, on any day a court employee is required to furlough. The  
bill provides that if a judicial officer is placed on unpaid  
leave, the salary of the judicial officer shall be reduced  
accordingly for the pay period in which the unpaid leave  
occurred. Through the course of the fiscal year, the bill  
provides that the judicial branch may use an amount equal to  
the aggregate amount of the salary reductions due to judicial  
officer unpaid leave for any purpose other than judicial  
salaries.

33

The bill states legislative intent that the judicial  
branch utilize the Iowa communications network or other secure  
electronic communications in lieu of traveling.

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